

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**KEITH LOWE,**

**Plaintiff,**

**vs.**

**Civil Action No. 2:25-cv-00272**

**SUPERINTENDENT JOHN FRAME and  
ACTING COMMISSIONER LANCE YARDLEY,**

**Defendants.**

**ORDER**

On July 9, 2025, the undersigned entered an Order finding that as asserted in the Plaintiff's *Motion for Order Facilitate the Release of Records in Related Mental Hygiene Case* (ECF No. 46), the Plaintiff has plausibly alleged some relevance between the mental hygiene records and the issues raised in this proceeding. Additionally, the undersigned ordered that the Circuit Court of Fayette County, West Virginia, produce *ex parte* and *in camera* via email the Plaintiff's mental hygiene records, including any recording and/or transcript of the probable cause hearing in the matter of *In RE: Involuntary Commitment of Keith William Lowe*, Case No. 25-MH-25-PC filed in the Circuit Court of Fayette County, West Virginia, and all related documents.


On July 14, 2025, the Chief Deputy Circuit Clerk for the Fayette County Circuit Court complied with the undersigned's Order and submitted the requested materials. After a thorough review of same, the undersigned **FINDS** that the documents produced are sufficiently related to the action *sub judice* pursuant to W. Va. Code § 27-3-1(b)(3). Accordingly, the Plaintiff's *Motion for Order Facilitate the Release of Records in Related Mental Hygiene Case* (ECF No. 46) is hereby **GRANTED**. Additionally, the Court **ORDERS** that the attached documents be filed

**UNDER SEAL**, and further, that the Clerk of this Court distribute same to counsel of record only and not to be published on the public docket.

The Clerk is requested to distribute a copy of this Order to all counsel of record and to any interested party.

**ENTER: July 23, 2025.**



  
Omar J. Aboulhosn  
United States Magistrate Judge